

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
:
CARL W. HEFTON (individually, and on
:
behalf of DOUG TURNER, TROY FIELDS,
:
RICHARD BLACKMON, BOB CARTER,
:
DALE KESLER, RICHARD CAPERTON,
:
DAN CONWAY and ELLIOTT S. OSHRY),
:
and BEN G. GILL (individually, and on behalf
:
of BRIAR TREE, LTD),

Plaintiffs, :

- against -

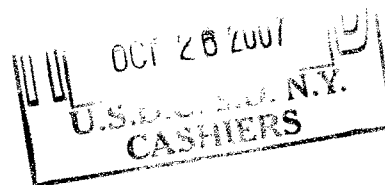
VISCERN HOLDING CORPORATION,

Defendant. :
:
----- X

07 CIV 9586

07 Civ. [number]

RULE 7.1 DISCLOSURE
STATEMENT



Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, and to enable Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, defendant Viscern Holding Corporation, a non-governmental corporate party, by its undersigned counsel Nixon Peabody LLP, states that it is not publicly traded. Viscern, Inc. is a wholly-owned subsidiary of Viscern Holding Corporation. Viscern Holding Corporation also has the following corporate affiliates: Resources Services, Inc., Ketchum Incorporated, Resource Services Capital Corporation RSI Financial Services, Inc., Spruce Lodge 293/295, L.L.C. and RSI Fund Raising (Canada) Ltd.

Dated: October 26, 2007

NIXON PEABODY LLP

By: Christopher M. Mason
Christopher M. Mason (CM 7146)
437 Madison Avenue
New York, New York 10022
(212) 940-3000

Attorneys for Plaintiff-Appellant

TO: Steven D. Karlin
PLATZER, SWERGOLD, KARLIN, LEVINE,
GOLDBERG & JASLOW, LLP
1065 Avenue of the Americas
18th Floor
New York, New York 10018
(212) 593-3000

Attorneys for Defendant-Respondent